

# Organization and Governance of NC Human Services Agencies

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# FAQs

Powers and  
Duties

Advisory  
Committees

Information  
Sharing

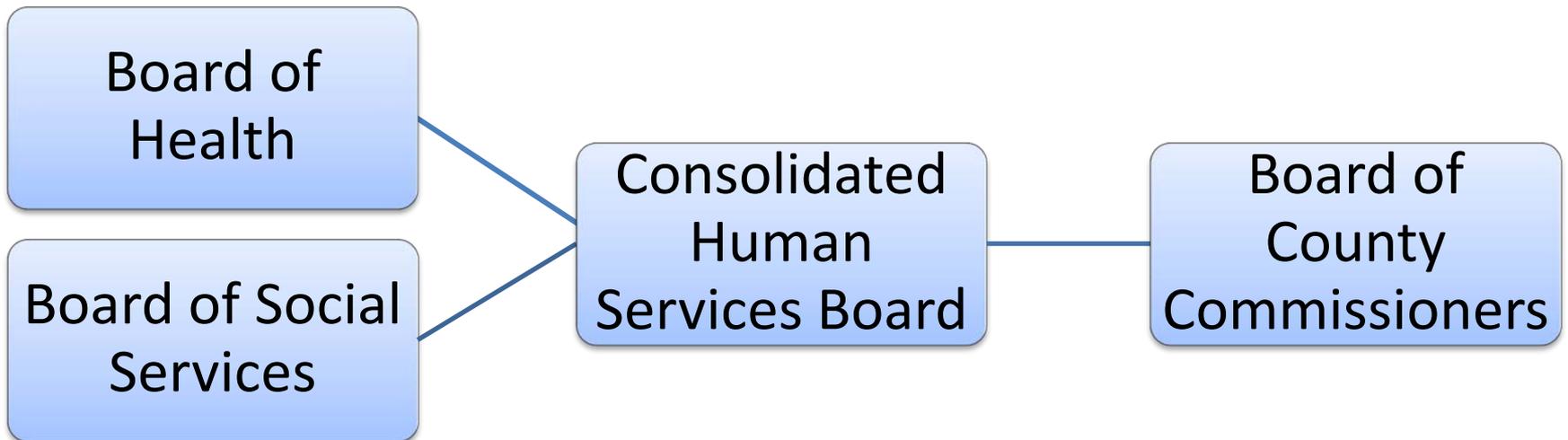
Personnel

# FAQ #1: Powers and Duties

**When county commissioners assume the powers and duties of a consolidated human services board, what exactly do they acquire?**

# FAQ #1: Powers and Duties

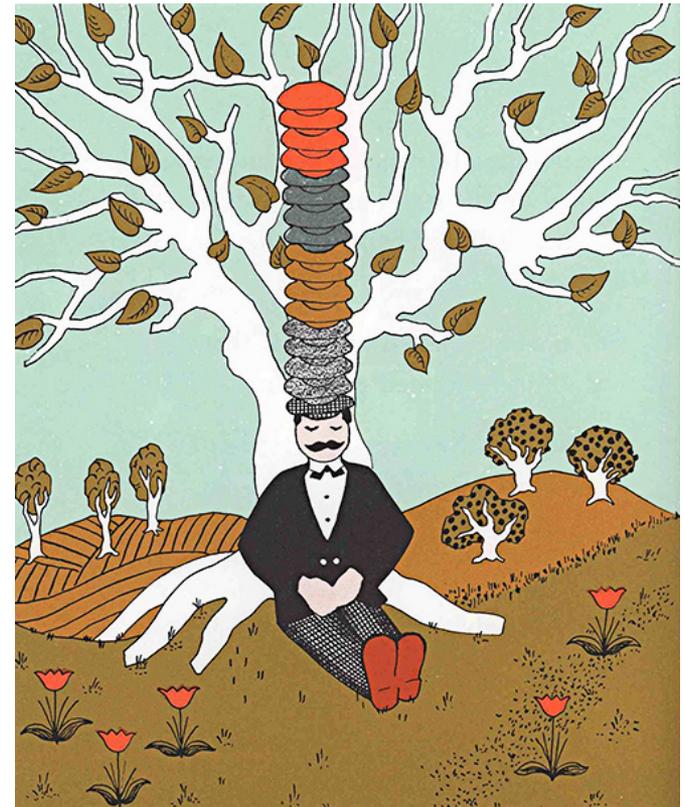
- Boards of health and social services have legal powers and duties
- A consolidated human services board has most of those powers and duties plus some of its own
- A board of county commissioners may assume the powers and duties of any of these boards



# FAQ #1: Powers and Duties

Recommendations for conducting CHS board business at BOC meetings:

- Separate agenda item
- At least once per quarter
- Clarity in minutes/other documentation about actions taken in exercise of CHS board powers and duties



# FAQ #1: Powers and Duties

State public health rules	Local public health rules
Adopted by NC Commission for Public Health	Adopted by local board of health
Apply statewide	Apply in local jurisdiction, including in municipalities
Examples: <ul style="list-style-type: none"><li>• Food code</li><li>• On-site wastewater permitting</li><li>• Accreditation</li><li>• Communicable disease control</li></ul>	Examples: <ul style="list-style-type: none"><li>• Smoking/use of tobacco products</li><li>• Private drinking water wells</li><li>• Local environmental health conditions</li></ul>

## **FAQ #2: Advisory Committees**

**What is the role of the advisory committee?**

# FAQ #2: Advisory Committees

- Public health advisory committee required
- Expanded or additional committees allowed
- Membership matches county BOH and may include others
- Role is to advise
- Meeting frequency?
- Chair or other officers?
- Subcommittees?
- Reports to BOC?
- May look to other laws for guidance, but not required

## **FAQ #3: Advisory Committees**

**May the BOC delegate some or all of its CHSA-related legal powers and duties to the advisory committee?**

# FAQ #3: Advisory Committees

- No direct answer in CHSA law, but:
  - Little express delegation authority in board laws
  - “The board [of commissioners] may not discontinue or assign elsewhere a function or duty assigned by law to a particular office, position, department, board, commission, or agency.” – GS 153A-76
- Likely result?
  - BOC exercises legal powers and duties
  - Advisory committee informs and supports the work



## FAQ #4: Information Sharing

When public health and social services departments are combined into a single, new CHSA, are the employees and programs allowed to share information more freely than they could before being combined?

# FAQ #4: Information Sharing

- May combine data in computer systems
- Confidentiality laws remain intact and will prevent some information sharing

## – Example:

- Child abuse report; assessment underway
- Child comes to the health department clinic for care
- May the public health staff automatically access information related to the assessment while providing care to the child?



# FAQ #4: Information Sharing

- Example: Health information
  - Beth's daughter has an appointment at the clinic
  - A social worker wants to talk with Beth about her paperwork for WorkFirst
  - May the social worker find out when Beth's daughter's appointment is and come find Beth in the building?



## **FAQ #5: Personnel**

**How will things change for employees of a consolidated human services agency if the BOC removes them from coverage under the SHRA?**

# FAQ #5: Personnel

- County policies or ordinances apply but must comply with Federal Merit Personnel Standards
  - Recruiting, etc. based on ability, knowledge, and skills
  - Providing equitable and adequate compensation
  - Training employees
  - Retaining employees based on adequacy of performance
  - Assuming nondiscrimination/equal employment
  - Assuring protection from coercion for partisan political purposes
- Certification of compliance required
  - County manager or CHSA director



# FAQ #5: Personnel

- Hiring authority changes
  - Director
    - WAS: Governing board appoints and dismisses
    - CHSA: County manager appoints and dismisses with *advice and consent* of BOC
  - Employees
    - WAS: Agency director appoints (and dismisses) employees
    - CHSA: Agency director appoints (and dismisses) with county manager's approval

# SOG Resources

The screenshot shows a web browser window with the address bar displaying [www.sog.unc.edu/node/31296](http://www.sog.unc.edu/node/31296). The page header features the UNC School of Government logo and a search bar. A navigation menu includes links for "About the School", "Courses and Resources", "Library", "Master of Public Administration", and "Publications".

The main content area is titled "North Carolina Public Health Law" and includes links for "Home" and "Contact Us". A sidebar on the left lists related topics under "North Carolina Public Health Law":

- [Legal Information by Topic](#)
- [SOG Public Health Law Training](#)
- [Legislative Updates](#)

The main text section is titled "Consolidated Human Services Agencies (CHSAs)" and contains the following text:

In 2012, the North Carolina General Assembly enacted legislation that provided counties with new options for how they can organize and govern some local human services agencies, including local health departments and departments of social services. All counties are now allowed, but not required, to create consolidated human services agencies that are either governed by an appointed board or by the board of county commissioners. Counties are also now allowed to keep separate county public health and social services departments but abolish their appointed governing boards and have the elected board of county commissioners assume that role.

Almost immediately after the law was enacted, several counties began exploring these new options and making changes at the local level. The School of Government (SOG) tracked the legislative developments closely, conducted research on organization and governance of local public health agencies, and has been providing technical assistance to counties since the law was enacted. This site is intended to serve as a centralized location for information and resources prepared or collected by SOG faculty members.

**2012 Legislation**  
[Session Law 2012-126 \(House Bill 438\)](#)

[Organization and Governance of Local Public Health & Other Human Services Agencies: Summary of S.L. 2012-126 \(H 438\) \(Jill Moore, July 2012\)](#)

**Overview Presentation**  
SOG faculty members have been invited to talk with local government officials across the state as they have been evaluating

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# Questions?

